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PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/551,641	
	Filing Date	September 29, 2005	
	First Named Inventor	Hiroyuki GOTANI	
	Art Unit	5470	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	12480-000146/US

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Notice to File Missing Requirements of an Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Copy of executed Declaration</b>		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Ray Heflin	Reg. No. 41,060
Signature			
Date	August 14, 2006		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name		Express Mail Label No.	
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**PATENT**  
12480-000146/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICATION. NO.: 10/551,641  
APPLICANT: Hiroyuki GOTANI  
INTERNATIONAL APPL. NO.: PCT/JP04/04098  
CONF.: 5470  
FILED: September 29, 2005  
FOR: SURGICAL OPERATION DEVICE

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**RESPONSE TO NOTICE TO FILE MISSING**  
**REQUIREMENTS OF AN APPLICATION**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
**Mail Stop PCT**

August 13, 2006 = Sunday  
August 14, 2006

Sir:

Under the provisions of 37 C.F.R. § 1.494 or 37 C.F.R. § 1.495, attached hereto are the following additional items necessary for entering the national phase in connection with the above-identified PCT international application.

- ☒ Executed Declaration and Power of Attorney.
- ☐ Original ☒ Photocopy
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification which was filed in the U.S. Patent and Trademark Office on , including any amendments thereto (if applicable) filed on even date therewith.
- ☐ The undersigned hereby declares that "Attorney Docket No." on page 1 of the

attached inventors' Declaration corresponds to Appl. No. filed entitled “.”

☐ English language specification, claims, and Abstract with ( ) sheets of drawings.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☒ Attached is a copy of Form PCT/DO/EO/905.

☐ \_\_\_\_\_

☒ No extension fee is required because the undersigned has filed the documents within the allotted time given by the Notification of Missing Requirements (Form PCT/DO/EO/905). However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.

☐ Applicant(s) hereby respectfully petitions for ( ) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$0.00 is attached hereto.

The Government Filing Surcharge in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 **was previously paid for** concurrently with the filing of the application on **September 29, 2005**.

- ☒ Submitted concurrently herewith **under separate cover** for recording is an Assignment.
- ☐ A Fee of \$0.00 to cover the increase in fees of the filing Surcharge is enclosed.
- ☐ Check(s) in the amount of \$0.00 to cover the above-mentioned fees is/are enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY & PIERCE, P.L.C.

By



Ray Heflin, Reg. No. 41,060  
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HRH:lmg

Attachments

(Rev. 01/13/05)



## UNITED STATES PATENT AND TRADEMARK OFFICE

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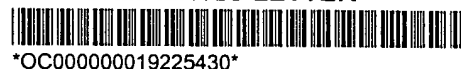
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,641	Hiroyuki Gotani	12480-000146/US

30593  
HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 8910  
RESTON, VA 20195

*Miss Rqmts*  
*8/13/06*

INTERNATIONAL APPLICATION NO.	
PCT/JP04/04098	
I.A. FILING DATE	PRIORITY DATE
03/24/2004	03/31/2003

CONFIRMATION NO. 5470  
371 FORMALITIES LETTER



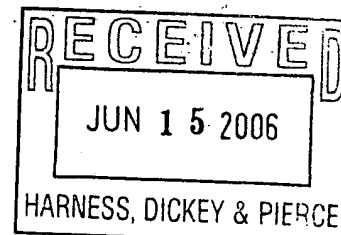
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Date Mailed: 06/13/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/29/2005
- English Translation of the IA filed on 09/29/2005
- Copy of the International Search Report filed on 09/29/2005
- Copy of IPE Report filed on 09/29/2005
- Information Disclosure Statements filed on 09/29/2005
- Request for Immediate Examination filed on 09/29/2005
- U.S. Basic National Fees filed on 09/29/2005
- Priority Documents filed on 09/29/2005
- Specification filed on 09/29/2005
- Claims filed on 09/29/2005
- Abstracts filed on 09/29/2005
- Drawings filed on 09/29/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,641	PCT/JP04/04098	12480-000146/US

FORM PCT/DO/EO/905 (371 Formalities Notice)